

**ORIGINAL**

BEFORE THE  
**Federal Communications Commission**  
 WASHINGTON, D.C. 20554

**RECEIVED**

AUG 26 1998

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )

1998 Biennial Regulatory Review — )  
 Amendment of Parts 2, 25 and 68 of the )  
 Commission's Rules to Further Streamline the )  
 Equipment Authorization Process for Radio )  
 Frequency Equipment, Modify the Equipment )  
 Authorization Process for Telephone Terminal )  
 Equipment, Implement Mutual Recognition )  
 Agreements and Begin Implementation of the )  
 Global Mobile Personal Communications by )  
 Satellite (GMPCS) Arrangements )

GEN Docket No. 98-68

To: The Commission

**REPLY COMMENTS OF MOBILE COMMUNICATIONS HOLDINGS, INC.**

Mobile Communications Holdings, Inc. ("MCHI"), by counsel and pursuant to Sections 1.415 and 1.419 of the Commission's rules, hereby replies briefly to comments submitted in response to the above-captioned Notice of Proposed Rulemaking.<sup>1/</sup> In its own initial comments in this docket, MCHI endorsed the Commission's proposal to adopt certification procedures for the processing of mobile Earth station applications pursuant to the terms of the 1997 GMPCS MOU; however, it also asked the Commission not to issue additional authorizations absent the adoption of final technical standards concerning out-of-band emissions from these mobile terminals.

<sup>1/</sup> See Notice of Proposed Rule Making, FCC 98-92, slip op. at 18 (¶ 45) (released May 18, 1998) (GEN Docket No. 98-68) ("NPRM").

Copies rec'd 049  
 DE 0ET

Acting precipitously to authorize new transmitting handsets based on untested standards could ultimately produce confusion in the marketplace or significant competitive disparities if the final standards adopted differ from those that were applied to the initial market entrants. For these reasons, MCHI urged that the Commission act expeditiously to institute a rulemaking in response to the NTIA petition filed last fall (RM-9165),<sup>2/</sup> in which NTIA sought adoption of out-of-band emissions standards to protect radionavigation services operating below 1605 MHz, including the U.S. Global Positioning System, and to adopt final rules in that proceeding before granting new licenses for MSS handsets.

Other commenters have similarly requested that the Commission adopt final out-of-band emissions standards only as part of the rulemaking to be initiated in response to the NTIA Petition.<sup>3/</sup> However, one commenter, LSC, Inc., advanced in this docket an alternative proposal for emissions limitations that is at odds with the one advanced by NTIA.<sup>4/</sup> MCHI disagrees with both the methodology employed and the conclusion reached by LSC in its analysis of the appropriate interference protection guidelines for MSS and GPS. More fundamentally, however, it is simply inappropriate for the

---

<sup>2/</sup> See, Letter from Richard D. Parlow, Associate Administrator, Spectrum Management, NTIA, to Regina Keeney, Chief, International Bureau, FCC, dated September 18, 1997, RM-9165.

<sup>3/</sup> See, e.g., Motorola Comments at 15-16.

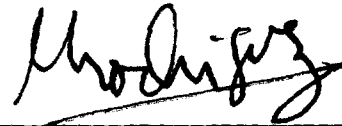
<sup>4/</sup> See LSC, Inc. Comments at 2 (filed June 26, 1998).

Commission to attempt to settle on a workable and appropriate emissions standard in the context of this proceeding. The appropriate forum for determining definitive emissions standards applicable for all MSS operators above 1610 MHz is RM-9165. MCHI again urges the Commission to expedite action on the NTIA request and move quickly to consider and to adopt final rules in that setting that will apply in a non-discriminatory manner to all MSS licensees operating in the 1610-1626.5 GHz bands.

Respectfully submitted,

MOBILE COMMUNICATIONS  
HOLDINGS, INC.

By:



Raul R. Rodriguez  
Stephen D. Baruch  
David S. Keir

Jill Abeshouse Stern  
Senior Vice President and  
General Counsel

Gerald Helman  
Vice President, International and  
Governmental Affairs

Mobile Communications Holdings, Inc.  
1133 21st Street, N.W., 8th Floor  
Washington, D.C. 20036  
(202) 466-4488

Leventhal, Senter & Lerman P.L.L.C.  
2000 K Street, N.W.  
Suite 600  
Washington, D.C. 20006  
(202) 429-8970

Its Attorneys

August 26, 1998

## **CERTIFICATE OF SERVICE**

I hereby certify that I have this 26th day of August, 1998, caused true copies of the foregoing "Reply Comments of Mobile Communications Holdings, Inc." to be served by first class mail, postage prepaid, on the following:

John L. Bartlett  
Wiley Rein & Fielding  
1776 K Street, NW  
10th Floor  
Washington, DC 20006

Leigh Chinitz  
Barry Lambergman  
Motorola, Inc.  
1350 I Street, NW  
Washington, DC 20005

Michael M. Hoeffler  
Ratheon Systems Company  
1001 Boston Post Road  
Marlborough, MA 01752

Lon C. Levin  
AMSC Subsidiary Corporation  
10802 Park Ridge Boulevard  
Reston, VA 20191

Patricia A. Mahoney  
Brent H. Weingardt  
Audrey A. Allison  
Iridium LLC  
1575 Eye Street, NW, Suite 800  
Washington, DC 20005

Mark E. Bitterman  
Orbital Sciences Corporation  
21700 Atlantic Boulevard  
Dulles, VA 20166

Stephen L. Goodman  
J. Randall Cook  
Halprin Temple Goodman & Sugrue  
Suite 650 East Tower  
1100 New York Avenue, NW  
Washington, DC 20005

Bruce D. Jacobs  
Stephen J. Berman  
Fisher Wayland Cooper Leader &  
Zaragoza  
2001 Pennsylvania Avenue, NW  
Suite 400  
Washington, DC 20006

Robert A. Mazer  
Albert Shuldiner  
Greta L.H. Lichtenbaum  
Vinson & Elkins LLP  
1455 Pennsylvania Avenue, NW  
Washington, DC 20004

Gerald Musarra  
Lockheed Martin Corporation  
1725 Jefferson Davis Highway  
Suite 403  
Arlington, VA 22202-4127

\* Via Hand Delivery

Raymond G. Bender, Jr.  
Carlos M. Nalda  
Dow Lohnes & Albertson, PLLC  
1200 New Hampshire Avenue, NW  
Suite 800  
Washington, DC 200036

Aileen A. Pisciotta  
Todd D. Daubert  
Kelley Drye & Warren LLP  
1200-19th Street, NW  
Suite 500  
Washington, DC 20036

Logan Scott  
LSC, Inc.  
P.O. Box 4734  
Breckenridge, CO 80424

Francis D. R. Coleman  
Gregory Francis  
ICO Global Communications  
1101 Connecticut Avenue, NW  
Suite 550  
Washington, DC 20036

Debra A. Smilley-Weiner  
Astrolink  
6701 Democracy Boulevard  
Suite 401  
Bethesda, MD 20817

Linda C. Sadler  
Brett Wilson  
Rockwell International Corporation  
1300 Wilson Boulevard  
Suite 200  
Arlington, VA 22209-2307

Cheryl A. Tritt  
James A. Casey  
Morrison & Foerster LLP  
2000 Pennsylvania Avenue, NW  
Suite 5500  
Washington, DC 20006



---

Tim Jordan

\* Via Hand Delivery